

EXHIBIT 2

Suhail Najim Abdullah Al Shimari

Washington, D.C.

February 16, 2017

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 ALEXANDRIA DIVISION
4 - - - - - x
5 SUHAIL NAJIM ABDULLAH AL SHIMARI,)
6)
7 TAHA YASEEN ARRAQ RASHID,)
8)
9 ASA'AD HAMZA HANFOOSH AL-ZUBA'E,) Case No.
10)
11 SALAH HASAN NSAIF JASIM) 08-cv-0827-LMB-JFA
12)
13 AL-EJAILI,)
14)
15 Plaintiffs,)
16)
17 VS.)
18)
19 CACI PREMIER TECHNOLOGY, INC.,)
20)
21 Defendant.)
22 - - - - - x
14 Washington, D.C.
15 Thursday, February 16, 2017
16
17 VideoLink Deposition of SUHAIL NAJIM
18 ABDULLAH AL SHIMARI, called for examination by
19 counsel for Defendant, pursuant to notice, at the Law
20 Offices of Steptoe & Johnson, 1330 Connecticut
21 Avenue, NW, Washington, D.C., commencing at 8:05
22 a.m., before Joe W. Strickland, RPR, CRR, CRC and

Suhail Najim Abdullah Al Shimari

Washington, D.C.

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| <p>1 Notary Public in and for the District of Columbia, 2 when were present on behalf of the respective 3 parties: 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p> | <p>1 APPEARANCES (Continued): 2 On behalf of Plaintiffs: 3 SHEREEF AKEEL, ESQ. 4 Akeel & Valentine 5 888 West Big Beaver Road 6 Suite 910 7 Troy, Michigan 48084 8 (248) 269-9590 9 - and - 10 KATHERINE GALLAGHER, ESQ. (Via VideoLink) 11 Center for Constitutional Rights 12 666 Broadway, 7th Floor 13 New York, New York 10012 14 - and - 15 MOHAMMED ALOMARI, ESQ (Via VideoLink) 16 Azimuth Legal Service, PLLC 17 24901 Northwestern Highway, Suite 311 18 Southfield, Michigan 48075 19 20 Also Present: 21 Hilal Houalla, Translator 22 Jessy Leifer, Rutgers Human Rights Clinic</p> |
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|---|---|
| <p>1 MR. ALOMARI: This is Mr. Alomari. 2008.</p> <p>2 THE WITNESS: 2008 to now, I am a</p> <p>3 mathematics instructor.</p> <p>4 BY MR. O'CONNOR:</p> <p>5 Q. Where are you a mathematics instructor?</p> <p>6 A. I was an instructor at Mahmoudia.</p> <p>7 Q. What is Mahmoudia?</p> <p>8 A. It's an area close to us.</p> <p>9 Q. Are you an instructor at a school?</p> <p>10 A. Yes.</p> <p>11 Q. Is it a --</p> <p>12 A. Yes.</p> <p>13 Q. -- is it a college?</p> <p>14 A. No, it's middle school. Middle school.</p> <p>15 Q. Mr. Al Shimari, you mentioned a minute ago</p> <p>16 the time that you were in prison. Is it correct that</p> <p>17 you were arrested at your home around November 7,</p> <p>18 2003?</p> <p>19 A. Correct. Yes.</p> <p>20 Q. Who arrested you?</p> <p>21 A. I could not hear you.</p> <p>22 (Translator repeated the question.)</p> | <p>1 BY MR. O'CONNOR:</p> <p>2 Q. Mr. Al Shimari, is that your signature</p> <p>3 toward the bottom of the page?</p> <p>4 A. Yes, yes, yes.</p> <p>5 Q. And is this dated March 27, 2008?</p> <p>6 A. Yes, yes.</p> <p>7 Q. And in this document you stated that you</p> <p>8 were not mistreated during your detention by the U.S.</p> <p>9 military; right?</p> <p>10 A. Yes, of course, during this period,</p> <p>11 whenever I signed a document, in order to be released</p> <p>12 every prisoner had to sign this document. It had</p> <p>13 these things on it, so I had to sign it in order to</p> <p>14 be released.</p> <p>15 Q. But the document says that whether you say</p> <p>16 you were mistreated or not will have no effect on</p> <p>17 whether you get released; isn't that right?</p> <p>18 A. It's not correct. The people, you know,</p> <p>19 it's not correct. The people who was -- the second</p> <p>20 point they were looking at it, if they had any</p> <p>21 objections, they were not released.</p> <p>22 Q. Okay. Can you read the first paragraph of</p> |
| <p style="text-align: center;">Page 15</p> <p>1 THE WITNESS: The American forces.</p> <p>2 BY MR. O'CONNOR:</p> <p>3 Q. Were they soldiers?</p> <p>4 A. Yes, yes.</p> <p>5 Q. About how many soldiers were there when</p> <p>6 you were arrested?</p> <p>7 A. I'm not sure. I don't know. I'm not sure</p> <p>8 how many.</p> <p>9 Q. Can you give me an estimate?</p> <p>10 A. There were around three Hummer cars.</p> <p>11 There were a combination of a group of soldiers in</p> <p>12 three Hummer cars.</p> <p>13 Q. And is it correct that the U.S. military</p> <p>14 released you from prison in 2008?</p> <p>15 A. Yes.</p> <p>16 MR. O'CONNOR: Pete Nelson, could you hand</p> <p>17 the witness what's been labeled Exhibit 1.</p> <p>18 (Whereupon, Deposition Exhibit</p> <p>19 No. AS-1 was marked for</p> <p>20 identification.)</p> <p>21 MR. NELSON: I've handed the witness</p> <p>22 Exhibit 1.</p> | <p style="text-align: center;">Page 17</p> <p>1 this document out loud.</p> <p>2 A. It says I was not mistreated during my</p> <p>3 arrest, but this is not true. If you read this</p> <p>4 paragraph, if you check it, then you can be able to</p> <p>5 be released. If you don't check it, then they will</p> <p>6 not release you.</p> <p>7 Q. Who told you that?</p> <p>8 A. The prisoners with me. Before and with</p> <p>9 me.</p> <p>10 Q. Other Iraqi prison prisoners told you</p> <p>11 that?</p> <p>12 A. Yeah, they put on the Point 2, they were</p> <p>13 not released. So if you check Number 2, they were</p> <p>14 not released.</p> <p>15 Q. But you would agree that the first</p> <p>16 paragraph says that your notification of mistreatment</p> <p>17 will not affect the decision for your release?</p> <p>18 Right?</p> <p>19 A. If I was been mistreated -- I mentioned I</p> <p>20 was mistreated, I put an X on the first mark, they</p> <p>21 will release me. If I mentioned number 2, they would</p> <p>22 not release me.</p> |

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| <p>1 Q. But my question is a little bit different. 2 I'm only asking whether it says in the first 3 paragraph of that form that your answer will not 4 affect whether you are released.</p> <p>5 A. You said -- it says that you are -- it is 6 not going to affect it. But actually if you check 7 Number 2, it will affect. If you write Number 2, I 8 will stay in prison. If I mention Number 2, I will 9 stay in prison. I would never be released.</p> <p>10 Q. Would you agree with me that this form 11 says that whichever line you check will not affect 12 the decision on your release, but you did not believe 13 that to be true based on what some other Iraqi 14 prisoners had told you?</p> <p>15 A. There are other prisoners who, again, 16 mention Number 2, they were not released.</p> <p>17 MR. O'CONNOR: Pete, could you hand the 18 witness what's been marked as Exhibit 2, please.</p> <p>19 (Whereupon, Deposition Exhibit 20 No. AS-2 was marked for 21 identification.)</p> <p>22 MR. NELSON: The witness has Exhibit 2.</p> | <p>1 BY MR. O'CONNOR: 2 Q. The question was whether you're aware of 3 anything in your answers in this document that are 4 not true.</p> <p>5 A. No, no, it's true. True.</p> <p>6 Q. I'm going to turn back to the day that you 7 it were arrested by the U.S. military. As I 8 understand your testimony, you were arrested at your 9 home by about three Hummer vehicles full of U.S. 10 soldiers; is that right?</p> <p>11 A. Correct. Yes.</p> <p>12 Q. Was there anybody in that group of U.S. 13 soldiers that you believed was a civilian?</p> <p>14 A. I didn't see somebody civilian.</p> <p>15 Q. Did somebody translate between you and the 16 soldiers on the day that you were arrested?</p> <p>17 A. Interpreter?</p> <p>18 Q. Yes.</p> <p>19 A. Yes, there was an interpreter. There was 20 an interpreter present.</p> <p>21 Q. Did the interpreter appear to be a 22 soldier?</p> |
| <p>1 BY MR. O'CONNOR: 2 Q. Mr. Al Shimari, could you turn to the last 3 page of this document and tell me if that's your 4 signature.</p> <p>5 A. Yes.</p> <p>6 Q. By signing here, you were verifying that 7 the answers in this document are true based on your 8 own knowledge, except for matters stated on 9 information and belief. Did somebody read the 10 document to you so that you would know what it says?</p> <p>11 A. Yes, yes.</p> <p>12 Q. Someone read the entire document word for 13 word to you?</p> <p>14 A. Yes.</p> <p>15 Q. And do you have any reason to believe that 16 anything in your responses in this document is 17 untrue?</p> <p>18 MR. LOBUE: I object to the question.</p> <p>19 It's a very long document. But the witness may 20 answer to the best of his ability.</p> <p>21 THE WITNESS: Ask me, then I can answer 22 you.</p> | <p>1 A. They were all soldiers. All soldiers.</p> <p>2 Q. Did the soldiers search your house?</p> <p>3 A. Yes.</p> <p>4 Q. Did they search a vehicle that was parked 5 in front of your house?</p> <p>6 A. Yes.</p> <p>7 Q. Whose vehicle was it that was in front of 8 your house?</p> <p>9 MR. LOBUE: I'm going to object to the 10 relevancy of this line of inquiry, but the witness 11 may answer.</p> <p>12 BY MR. O'CONNOR:</p> <p>13 Q. The question is who owned the white pickup 14 truck that was parked in front of your house?</p> <p>15 A. Let me explain to you something. They 16 were searching the house, the U.S. military, and they 17 couldn't find anything. They went to the car. Let 18 me explain something about this car. I live close to 19 the national road where, if anybody had a problem 20 with his car, he would park it next to our building. 21 Somebody, the owner -- the owner of the car left the 22 car in front. And we don't know who he is, and he</p> |

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| <p>1 left. And we don't any relation with him. No 2 relation.</p> <p>3 Q. Do you have any reason to believe that 4 employees from CACI were involved in the decision to 5 arrest you?</p> <p>6 A. I don't know how they came in. I was 7 sitting in my house. The U.S. military came into my 8 place. I don't know.</p> <p>9 Q. Did the U.S. military find two AK-47s in 10 your house?</p> <p>11 A. Yes, yes.</p> <p>12 Q. Do you know what they found in the pickup 13 truck?</p> <p>14 A. There was something about the two 15 Kalashnikovs. Let me explain to you the things about 16 the Kalashnikovs. We are two houses, me and my 17 brother next to each other, adjacent to each other. 18 Every house has a rifle. Every house. One is mine 19 and one for my brother. Yes.</p> <p>20 Q. When the soldiers arrested you, did they 21 arrest your brother too?</p> <p>22 A. They took me, they took my cousin, and</p> | <p>1 Q. Just to make sure I understand, from the 2 time the soldiers picked you up until the time you 3 got to Camp Mursalat, you're saying they did not 4 mistreat you; right?</p> <p>5 A. They put the bag on my head and they took 6 me to Mursalat, and they started an investigation in 7 the camp about the weapon found in the car.</p> <p>8 Q. So during the ride from your house to Camp 9 Mursalat, did you have a bag on your head?</p> <p>10 A. Yes, yes.</p> <p>11 Q. Did anybody injure you from the time the 12 soldiers came to your house to the time you arrived 13 at Camp Mursalat?</p> <p>14 A. No, no.</p> <p>15 Q. How long were you at Camp Mursalat?</p> <p>16 A. Only two days. Two days.</p> <p>17 Q. What happened during your time at Camp 18 Mursalat?</p> <p>19 A. They put me in a cage. After two days 20 they transferred me somewhere else.</p> <p>21 MR. O'CONNOR: Did he say they put him in 22 a "cage"?</p> |
| <p>1 three or four people that were in the place.</p> <p>2 MR. ALOMARI: This is Mr. Alomari.</p> <p>3 (Speaking Arabic.) It means "guests."</p> <p>4 THE WITNESS: They took me, they took my 5 cousin, and three or four other guests in my place.</p> <p>6 BY MR. O'CONNOR:</p> <p>7 Q. Did they put you in one of the Hummer 8 vehicles? Did they put you in one of the Hummer 9 vehicles?</p> <p>10 A. Yes.</p> <p>11 Q. Where did they take you?</p> <p>12 A. They took me to an area called Mursalat.</p> <p>13 Q. Was Mursalat a U.S. military camp?</p> <p>14 A. Yes.</p> <p>15 Q. Now, between the time that the soldiers 16 showed up at your house and the time you got to Camp 17 Mursalat, were you mistreated by those soldiers in 18 any way?</p> <p>19 A. They just took me took me to Mursalat. I 20 stayed one or two days and they took me some place 21 else and there was an investigation about the weapon, 22 the rifles.</p> | <p>1 THE WITNESS: The first time I came in 2 here they did put me in a small cage. And the next 3 day, they transferred me somewhere else.</p> <p>4 BY MR. O'CONNOR:</p> <p>5 Q. And this occurred at Camp Mursalat?</p> <p>6 A. Mursalat, yes. At Mursalat, yes.</p> <p>7 Q. How small was the cage you were put in at 8 Camp Mursalat?</p> <p>9 A. It was small. It was very, very small.</p> <p>10 It was four or five people were put in the same cage.</p> <p>11 Q. Were you able to stand up in it?</p> <p>12 A. Yes.</p> <p>13 Q. Did you have a bag on your head during the 14 time you were at Camp Mursalat?</p> <p>15 THE TRANSLATOR: Not in the cage, in the 16 whole time?</p> <p>17 MR. O'CONNOR: At any time he was at Camp 18 Mursalat.</p> <p>19 THE WITNESS: Yes.</p> <p>20 BY MR. O'CONNOR:</p> <p>21 Q. Did you have a bag on your head the entire 22 time you were at Camp Mursalat?</p> |

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| <p>1 Q. Were you mistreated during the trip from 2 Camp Mujahadeen to Abu Ghraib? 3 A. The car was open. They put a bag on my 4 head and they tied my hands behind my back. 5 Q. And during the trip from Camp Mujahadeen 6 to Abu Ghraib, were you sitting in the back of the 7 vehicle or lying down in the back of the vehicle? 8 A. Sitting. 9 Q. Was it about a month from the time you 10 were arrested until the time you reached Abu Ghraib 11 prison? 12 A. Around. 13 Q. When you got to Abu Ghraib prison, what 14 happened next? 15 A. The first, they took me in and took off my 16 clothes and examined me, my body, and they gave me a 17 number. The second was about an interpreter. 18 Q. Let's start with Step 1. When you got to 19 Abu Ghraib, was the first thing that happened is they 20 had you take off your clothes so you could get a 21 medical examination? 22 A. They checked my body. They gave me a</p> | <p>1 back on? 2 A. Yes, yes. 3 Q. That first day when they were checking 4 your body and giving you a number, was that all done 5 by U.S. soldiers? 6 A. Yes. 7 Q. Were you mistreated in any way your first 8 day at Abu Ghraib prison? 9 A. In the first day, after I was stripped my 10 clothes, they put a bag on my head and they 11 handcuffed me behind my back and they put me in 12 another room. 13 Q. At the time they handcuffed and put a bag 14 on your head, did you have your clothes on? 15 A. I was wearing my clothes. The first guy, 16 he took the mask out and my handcuffs out. He took 17 my clothing off. He stripped me naked. Then after 18 that, examined me. I put my clothes on, he put the 19 bag on, and handcuffed me back. 20 Q. Was there any other things that occurred 21 on your first day at Abu Ghraib prison that you would 22 consider mistreatment?</p> |
| <p style="text-align: center;">Page 39</p> <p>1 number. They let me go back and sit down. Next day, 2 they took me back to investigation -- interrogation. 3 Q. Let's stay on the first day for a minute. 4 When you were examined, was it by medical personnel? 5 A. No, no, he was not medical. Actually, for 6 any person who comes in here, any person will come 7 check all his body. They take his clothes off, check 8 his body, and then they gave him a number. 9 MR. ALOMARI: This is Mr. Alomari. The 10 said, "For anybody who comes in, they strip him 11 nude." 12 THE TRANSLATOR: Take off all his clothes 13 and they gave him a number. 14 BY MR. O'CONNOR: 15 Q. After they took off your clothes and gave 16 you a number, did you get your clothes back? 17 A. Repeat the question, please. 18 Q. After they had you take off your clothes 19 and check your body and then gave you a number, did 20 you get your clothes back? 21 A. Yes. 22 Q. And were you allowed to put your clothes</p> | <p style="text-align: center;">Page 41</p> <p>1 A. Up to now, there was no mistreatment. But 2 the interrogation started; then the mistreatment 3 started. 4 Q. Okay. I think you started to say earlier 5 that on the second day interrogation started; is that 6 right? 7 A. Correct. 8 Q. Tell me what you remember about your 9 second day at Abu Ghraib prison. 10 A. They took me for interrogation. They put 11 the bag on my head. They put the bag on and the 12 handcuffs on and took me to the place where the 13 interrogator was sitting on a higher place and I was 14 sitting in a lower position. 15 And I was sitting talking to him and I was 16 standing on my legs like this (Indicating.) And his 17 feet were up and I was almost -- the level of my face 18 was to his feet and he started asking me questions. 19 The interrogator? 20 Q. Did you have a bag on your head during 21 this time? 22 MR. ALOMARI: Mr. Alomari. He also</p> |

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| <p>1 mentioned, thought, the stones -- that his knees were 2 on the sharp stones.</p> <p>3 THE WITNESS: My knees were standing on 4 cracked stones.</p> <p>5 BY MR. O'CONNOR:</p> <p>6 Q. Mr. Al Shimari, in your Interrogatory 7 Responses in this case, you said that on the first 8 day that you were at Abu Ghraib prison you were 9 hooded and punched on all sides of the face. Is that 10 accurate?</p> <p>11 MR. LOBUE: I object, and I ask the 12 witness to be shown his Interrogatory Response, 13 because the question did not precisely reflect what 14 the witness stated in the Interrogatory Response.</p> <p>15 MR. O'CONNOR: Are you testifying?</p> <p>16 MR. LOBUE: This is part of my objection.</p> <p>17 MR. O'CONNOR: This is a speaking 18 objection. This is completely inappropriate.</p> <p>19 MR. LOBUE: The Interrogatory Response 20 states that he was punched on all sides of his face.</p> <p>21 MR. O'CONNOR: Did I not say that? Did I 22 not say that?</p> | <p>1 they started hitting me in the investigation, 2 interrogation.</p> <p>3 Q. Who was hitting you?</p> <p>4 A. Talking about the investigation, the 5 interrogation, they make me stand on my knees and 6 they told me to admit what was in the car. And I 7 couldn't talk because they kept the bag on my head 8 during the interrogation. Then when the 9 interrogation was over and when I leave, after I 10 leave, then they take the bag out.</p> <p>11 Q. So, do you know who your interrogator was 12 for that first interrogation that you just told us 13 about?</p> <p>14 MR. LOBUE: You mean by name? I object to 15 the form.</p> <p>16 MR. O'CONNOR: Okay.</p> <p>17 MR. LOBUE: What do you mean, "Do you know 18 who he was"?</p> <p>19 MR. O'CONNOR: I think it's a fair 20 question.</p> <p>21 MR. LOBUE: Would you please translate my 22 objection and tell the witness he may answer.</p> |
| <p style="text-align: center;">Page 43</p> <p>1 MR. LOBUE: I'm objecting that you did not 2 give the witness an opportunity to read his written 3 response.</p> <p>4 MR. O'CONNOR: He can't read his written 5 response. It's in English.</p> <p>6 MR. LOBUE: Well, we do have a translator 7 in the room, Mr. O'Connor.</p> <p>8 MR. O'CONNOR: Preposterous.</p> <p>9 BY MR. O'CONNOR:</p> <p>10 Q. Mr. Al Shimari, were you punched on all 11 sides of your face during your first day in 12 Abu Ghraib prison?</p> <p>13 A. Like I -- like I told you before, the 14 minute they took me for interrogation, they started 15 hitting me and they started mistreating me.</p> <p>16 Q. So you were punched on all sides of your 17 face on your second day at Abu Ghraib prison; right?</p> <p>18 A. Actually, after they gave me -- the minute 19 that I stripped clothes and they gave me the number, 20 and they start mistreating me, hitting me.</p> <p>21 Q. So that was on the first day?</p> <p>22 A. I don't recall. I don't remember. But</p> | <p style="text-align: center;">Page 45</p> <p>1 THE TRANSLATOR: You want to restate the 2 question, please, sir?</p> <p>3 BY MR. O'CONNOR:</p> <p>4 Q. Do you know who interrogated you the first 5 time you were interrogated?</p> <p>6 MR. LOBUE: Did you state my objection?</p> <p>7 THE WITNESS: How can I tell? I don't 8 know his name because the way they took me into the 9 interrogation. I had the bag on my head and they 10 were pulling me, pulling me. I don't know his name.</p> <p>11 BY MR. O'CONNOR:</p> <p>12 Q. That's all I wanted to figure out. Is it 13 correct that you don't know who the interrogator was 14 for your first interrogation, because you had a bag 15 on your head for the entire time?</p> <p>16 A. Yes.</p> <p>17 Q. Do you know if your interrogator for your 18 first interrogation was a soldier or an American 19 civilian?</p> <p>20 A. I saw one guy with the hair going this 21 way, backwards, going back.</p> <p>22 Q. Was that your investigator from the first</p> |

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|---|---|
| <p>1 interrogation?</p> <p>2 MR. ALOMARI: This is Mr. Alomari. He</p> <p>3 described it as a "ponytail."</p> <p>4 THE WITNESS: He said there was a long</p> <p>5 hair all the way to the back. Looked like a female</p> <p>6 hair, all the way to the back. Long hair.</p> <p>7 BY MR. O'CONNOR:</p> <p>8 Q. Was that your interrogator?</p> <p>9 A. Interrogator.</p> <p>10 Q. Was that your interrogator for the first</p> <p>11 interrogation?</p> <p>12 A. Second, second. In the second</p> <p>13 interrogation.</p> <p>14 Q. Okay. Let's start with the first</p> <p>15 interrogation for now, so we don't get them mixed up.</p> <p>16 I'll get to the second interrogation. Is it fair to</p> <p>17 say that you don't know whether your first</p> <p>18 interrogation was a U.S. soldier or a U.S. civilian?</p> <p>19 A. Correct. I don't know if he's military.</p> <p>20 He was interrogating me. He was interrogating me.</p> <p>21 Q. Did anything happen during the first</p> <p>22 interrogation that you view as mistreatment, other</p> | <p>1 sound for part of that translation. Can you</p> <p>2 translate that question again?</p> <p>3 MR. O'CONNOR: Could you just read it and</p> <p>4 translate it again.</p> <p>5 (Translator restated the question.)</p> <p>6 THE WITNESS: He was pulling me all the</p> <p>7 way they almost broke my hands. They were tied so</p> <p>8 hard, my hands, they almost got broken. And during</p> <p>9 the interrogation, how I was looking at his feet. He</p> <p>10 was walking, pressing on my belly, on my head even.</p> <p>11 In addition, during the interrogation I was standing</p> <p>12 on my knees.</p> <p>13 BY MR. O'CONNOR:</p> <p>14 Q. Who was pressing on your head?</p> <p>15 A. Hitting, hitting. He was stepping with</p> <p>16 his feet. Pressing with his feet.</p> <p>17 Q. The interrogator was stepping with his</p> <p>18 feet?</p> <p>19 A. You know, the interrogator and the guards.</p> <p>20 Q. This was during --</p> <p>21 A. And I couldn't tell because my head was</p> <p>22 covered. I couldn't tell.</p> |
| <p style="text-align: center;">Page 47</p> <p>1 than being -- having a bag on your head and kneeling</p> <p>2 on sharp rocks?</p> <p>3 A. I mean, he was mistreating me. He kept</p> <p>4 his feet higher than my head and my eye level was</p> <p>5 close to his feet. That is mistreatment.</p> <p>6 Q. Is there any other type of mistreatment</p> <p>7 during the first interrogation besides what you have</p> <p>8 already told me about?</p> <p>9 A. He was real pulling me -- through the</p> <p>10 interrogation, they was pulling me, pulling me like a</p> <p>11 bird, all the way. Pulling me. And he was pushing</p> <p>12 me like a rock, like a bird.</p> <p>13 THE REPORTER: Bird?</p> <p>14 THE TRANSLATOR: Bird. B-I-R-D.</p> <p>15 BY MR. O'CONNOR:</p> <p>16 Q. Is it fair to say that you don't know who</p> <p>17 was pushing you, because you had a bag on your head?</p> <p>18 A. Correct, yes.</p> <p>19 Q. Are there any other things that happened</p> <p>20 during the first interrogation that you would call</p> <p>21 mistreatment?</p> <p>22 MR. NELSON: This is Mr. Nelson. We lost</p> | <p style="text-align: center;">Page 49</p> <p>1 Q. So you couldn't tell who was doing this,</p> <p>2 because your head was covered; is that right?</p> <p>3 A. Correct.</p> <p>4 Q. Have you now told me all of the</p> <p>5 mistreatment you believe you suffered during the</p> <p>6 first interrogation at Abu Ghraib prison?</p> <p>7 A. Yes. And after that, you know, they took</p> <p>8 me to another place. It was an excess mistreatment,</p> <p>9 more mistreatment.</p> <p>10 Q. Where was the other place where there was</p> <p>11 more mistreatment?</p> <p>12 A. Abu Ghraib, there was another place in</p> <p>13 Abu Ghraib called Takila.</p> <p>14 MR. LOBUE: Let's go off the record</p> <p>15 momentarily and resolve our technical problems.</p> <p>16 (Whereupon, the deposition was recessed</p> <p>17 from 9:59 a.m. to 10:03 a.m.)</p> <p>18 MR. O'CONNOR: We're back on the record.</p> <p>19 MR. ALOMARI: This is Mr. Alomari and I</p> <p>20 had a correction on the translation. The area that</p> <p>21 he is referring to as "Takila" is the Hard Site.</p> <p>22 THE TRANSLATOR: The Takila, the Hard</p> |

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|--|---|
| <p>1 Site.</p> <p>2 BY MR. O'CONNOR:</p> <p>3 Q. Mr. Al Shimari, you said a bit ago that</p> <p>4 your second interrogation had an interrogator with a</p> <p>5 ponytail; is that right?</p> <p>6 A. Yes.</p> <p>7 Q. During the second interrogation, did you</p> <p>8 have a bag on your head?</p> <p>9 A. Yes.</p> <p>10 Q. How do you know that the interrogator for</p> <p>11 the second interrogation had a ponytail?</p> <p>12 A. Because they make -- they took the bag and</p> <p>13 he told me to: Look to me eye-to-eye and talk to me,</p> <p>14 eye-to-eye.</p> <p>15 Q. Was the interrogator with the ponytail a</p> <p>16 woman or a man with long hair?</p> <p>17 A. Man.</p> <p>18 Q. Can you tell me anything else about this</p> <p>19 man's appearance?</p> <p>20 A. It was short duration, very short</p> <p>21 duration. But I saw the hair.</p> <p>22 Q. So to make sure I understand, the only</p> | <p>1 Q. Did anything happen to you between the</p> <p>2 first interrogation and the second interrogation with</p> <p>3 the man with the ponytail?</p> <p>4 MR. LOBUE: I object to the form of the</p> <p>5 question. Vague. He may answer.</p> <p>6 THE WITNESS: Between the first</p> <p>7 interrogation and the second time, or the second time</p> <p>8 with the guy with the ponytail, long hair?</p> <p>9 MR. O'CONNOR: No, between the first</p> <p>10 interrogation where he doesn't know who the</p> <p>11 interrogator and the second interrogation where it</p> <p>12 was a man with a ponytail.</p> <p>13 THE WITNESS: Yes. Then, you know, the</p> <p>14 second day after the guy with the ponytail, he really</p> <p>15 questioned me. They pulled me. In the first</p> <p>16 interrogation, I didn't see the guy because I had</p> <p>17 this thing on my face. In the second interrogation,</p> <p>18 there was a guy and he told me eye-to-eye look. So I</p> <p>19 know he had a ponytail.</p> <p>20 BY MR. O'CONNOR:</p> <p>21 Q. How much time was there between the first</p> <p>22 interrogation and the second interrogation?</p> |
| <p>1 thing you can tell me about the appearance of the</p> <p>2 seconding interrogator is that he had a ponytail?</p> <p>3 A. Yes.</p> <p>4 Q. Do you know what color skin the second</p> <p>5 interrogator had?</p> <p>6 A. White.</p> <p>7 Q. Did the second interrogation take place</p> <p>8 before or after you were moved to the Hard Site at</p> <p>9 Abu Ghraib?</p> <p>10 THE TRANSLATOR: You're talking about</p> <p>11 Takila? You want to rephrase it?</p> <p>12 MR. O'CONNOR: You want to use that</p> <p>13 hard --</p> <p>14 THE TRANSLATOR: Hard Site.</p> <p>15 MR. O'CONNOR: Isn't that the translation</p> <p>16 of Hard Site?</p> <p>17 THE TRANSLATOR: I will stick with</p> <p>18 "Takila."</p> <p>19 MR. O'CONNOR: You should say that.</p> <p>20 (Translator repeated the question.)</p> <p>21 THE WITNESS: Before. Before.</p> <p>22 BY MR. O'CONNOR:</p> | <p>1 A. Around, I think, one day. Around one day.</p> <p>2 Q. Where did you go between the first</p> <p>3 interrogation and the second interrogation?</p> <p>4 A. In a room.</p> <p>5 THE TRANSLATOR: I just asked him a word.</p> <p>6 MR. ALOMARI: This is Mr. Alomari. It</p> <p>7 means "brick." A brick room. A brick room.</p> <p>8 THE TRANSLATOR: A brick room.</p> <p>9 BY MR. O'CONNOR:</p> <p>10 Q. Were you mistreated by anyone in between</p> <p>11 the first interrogation and the second interrogation?</p> <p>12 THE TRANSLATOR: He lost sound.</p> <p>13 MR. NELSON: The sound cut out. Can you</p> <p>14 translate that question again.</p> <p>15 (Translator restated the question.)</p> <p>16 THE WITNESS: Between the first</p> <p>17 interrogation and second interrogation, I was bare</p> <p>18 feet. It was somewhere they didn't even give us</p> <p>19 food. They did not give us food.</p> <p>20 THE TRANSLATOR: I think he is going to</p> <p>21 add something now.</p> <p>22 BY MR. O'CONNOR:</p> |

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| <p>1 Q. Other than being barefoot and not having 2 food, were you mistreated at all between the first 3 interrogation and the second interrogation? 4 A. It was cold. The environment was cold. 5 Q. Was there any other mistreatment between 6 -- in between the first interrogation and the second 7 interrogation? 8 A. No, that's it. That's it. 9 Q. Now, let's talk about the second 10 interrogation. That's the one where the interrogator 11 was a man with a ponytail; right? 12 A. Yes. 13 Q. How long did that second interrogation 14 last? 15 A. The second interrogation? 16 Q. Yes. 17 A. It's one day after the first 18 interrogation. 19 Q. How long were you interrogated during the 20 second interrogation? 21 A. More than three hours. 22 Q. Were you mistreated during the second</p> | <p>1 MR. LOBUE: I don't want to testify. I 2 just want the record to reflect what is happening in 3 the room. 4 THE TRANSLATOR: He said "fingers of his 5 feet." 6 BY MR. O'CONNOR: 7 Q. During the time that you were standing 8 with your nose against the wall, did you have a hood 9 on? 10 A. No, there was no bag. No bag. 11 Q. Were you mistreated in any other way 12 during this second interrogation? 13 A. The interrogator used to give order for 14 the guard -- used to give an order for the guard and 15 push me toward the wall. "Stand up and don't move. 16 Period. Don't move. Final, don't move." And he 17 said, "If you don't admit, you are going to be 18 standing toward the wall until morning." But after 19 three hours they let me. 20 THE REPORTER: Can I clarify something? 21 Who gave the order? 22 THE TRANSLATOR: The interrogator gave</p> |
| <p>1 interrogation? 2 A. In the second interrogation, I was like 3 this on my fingers. (Indicating.) 4 MR. ALOMARI: Mr. Alomari. He said, "My 5 toes." 6 THE WITNESS: On my feet. I was standing 7 on my fingers and my nose was on the wall -- toward 8 the wall. 9 MR. LOBUE: I'm sorry; he was standing on 10 fingers? 11 MR. AKEEL: Toes. 12 MR. ALOMARI: This is Mr. Alomari. He 13 said "my toes." 14 THE TRANSLATOR: He said I was, "Standing 15 on my fingers of the feet, and my nose was on the 16 wall like this in the corner." (Indicating.) 17 MR. LOBUE: The interpreter was 18 demonstrating that his nose was up against the wall 19 and he was on his toes, I believe. Is that correct? 20 The fingers of his feet, also known as toes? 21 THE TRANSLATOR: That is fine, but on his 22 toes.</p> | <p>1 orders to the -- 2 THE REPORTER: Okay. That's all I need. 3 MR. O'CONNOR: 4 Q. And is everything you just described what 5 happened during the second interrogation? 6 A. He gave me an order to stand on the wall 7 with the nose to the wall on my toes and he was 8 giving the order for the guard to hit me. 9 Q. My question was a little different. I 10 want to make sure that I understand, did this happen 11 during the second interrogation? 12 A. Second? Second interrogation? 13 Q. Yes. 14 A. Yes, yes. 15 Q. So the interrogator who was telling the 16 guard to push you against the wall was the man with 17 the ponytail? 18 A. Yes. 19 Q. Have you now told me all of the 20 mistreatment that you believe you suffered during the 21 second interrogation? 22 A. Yes.</p> |

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| <p>1 Q. What happened after the second 2 interrogation finished? 3 A. After I left the interrogator, the guard 4 tied my hands behind -- very strong and very 5 powerful, tight. He hit me on my head. He kept 6 hitting me, hitting me all over my body -- on my 7 face, on my cheeks, and he sent me to Takila. 8 Q. When the guard was hitting you, was that 9 in the room when the second interrogation occurred? 10 A. In the interrogation room? Yes. 11 Q. Was the interrogator still there? 12 A. I was standing on my fingers, or whatever 13 you want to call it, toes, and my nose was towards 14 the wall. And I couldn't keep my balance and I 15 started moving, and then he started hitting me. 16 Q. Who started hitting him? 17 A. The guard when he was close to the 18 investigator. 19 Q. The interrogator? 20 A. The interrogator. He was close to the 21 guard. 22 Q. Were you ever interrogated again by the</p> | <p>1 Site, is it correct that you were only interrogated 2 once and it was at the end of the week? 3 A. Yes, sir. 4 Q. During this week-long period that you were 5 at the Hard Site, were you mistreated? 6 THE TRANSLATOR: In addition to what he 7 said? 8 BY MR. O'CONNOR: 9 Q. In addition to what you have already told 10 me. 11 A. Like I told you, it was cold, and the 12 pillow was so hard. It was very dirty, there was no 13 bathroom. This was the mistreatment. 14 Q. I just want to make sure that I've gotten 15 from you any other type of mistreatment during that 16 week, besides what you have already said. Have you 17 told me everything now? 18 A. No, no, no. 19 Q. There is nothing more? 20 A. And the third interrogation, then the 21 treatment -- 22 Q. I'm going to get to the third</p> |
| <p>1 man with the ponytail? 2 A. Only one time; this time. After that, I 3 did not see him. 4 Q. Do I understand that after the second 5 interrogation you were brought to the Hard Site? 6 A. Yes. 7 Q. How long were you kept at the Hard Site? 8 A. Around one week. 9 Q. Were you interrogated during that week? 10 A. It was, you know, a very horrible place. 11 The pillow was full of stones. There was no mattress 12 on the floor and it was very cold. And the area was 13 very little and there was no bathroom. Cold. Very 14 cold. Very cold. 15 Q. My question -- 16 A. I also only wearing one "dishdasha," like 17 a long dress. Like a long Arabic dress. 18 Q. My question was a little different. What 19 I'm trying to know is during this week that you were 20 at the Hard Site, were you interrogated? 21 A. End of the week. The end of the week. 22 Q. During this week that you were at the Hard</p> | <p>1 interrogation. 2 A. -- after one week. 3 Q. Okay. Have you told me about all of the 4 mistreatment you suffered between the second 5 interrogation and the third interrogation? 6 A. Between the second and third? 7 Q. Yes. 8 A. Yes. 9 Q. Between the second and third 10 interrogation, did you see any American civilians? 11 A. Civilians? 12 Q. Yes. 13 A. How can I see? Whenever they take me into 14 an interrogation, they put a bag on my head. 15 Q. Did you have a bag on your head while you 16 were in your cell at the Hard Site? 17 A. In Takila? There was no cell in Takila. 18 Q. Oh, so was it a -- 19 A. We only go for interrogation. Only for 20 interrogation. 21 Q. Okay. You said after about a week at the 22 Hard Site, you went for the third interrogation; is</p> |

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| 1 that right? | 1 he was standing behind me with a dog and he said, "If |
| 2 A. Correct. | 2 you tell me anything not true, I'm going to let the |
| 3 Q. Were you brought to the third | 3 dog bite you." He put me -- between me and the |
| 4 interrogation with a bag on your head? | 4 dog -- there was a glass between me and the dog. And |
| 5 A. Yes. | 5 he said, "I'm going to let the dog bite you." |
| 6 Q. How long did the third interrogation last? | 6 "Shibak" means glass. Window. "Shibak." A window. |
| 7 A. 6 o'clock in the morning. | 7 MR. ALOMARI: He is using "Jamma" and now |
| 8 Q. If it started at 6 o'clock in the morning. | 8 "shibak." "Jamma" in Iraqi is "shibak." |
| 9 About what time did it end? | 9 THE TRANSLATOR: He is saying that the |
| 10 A. The third one? | 10 word "shibak," which is "window," in Iraqi, it is |
| 11 Q. Yes, the third one. | 11 "jamma." |
| 12 A. 10 o'clock in the morning. | 12 THE WITNESS: He was threatening me. He |
| 13 Q. So you would say that the third | 13 said, "If I open the window, I'm going to let the dog |
| 14 interrogation lasted about four hours? | 14 bite you." Yes. That was -- "I'm going to let the |
| 15 A. Yes. | 15 dog bite you." |
| 16 Q. Did you have the bag on your head for the | 16 BY MR. O'CONNOR: |
| 17 entire time? | 17 Q. What color skin did the interrogator have? |
| 18 THE TRANSLATOR: The four hours? | 18 A. White. |
| 19 MR. O'CONNOR: Yes, for the entire | 19 Q. About how old was he? |
| 20 interrogation. | 20 A. Middle. I don't know. Mid. Mid. |
| 21 THE WITNESS: The bag was on my head from | 21 Q. Was he thin or fat? |
| 22 Takila all the way to the interrogator. Once I was | 22 A. Skinny. |
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| 1 at the interrogator, they took the bag out. | 1 Q. Was he tall? Short? Medium? |
| 2 Q. Was your interrogator for the third | 2 A. Medium height. He wasn't tall, he wasn't |
| 3 interrogation a soldier or a civilian? | 3 short. Medium height. |
| 4 THE TRANSLATOR: American? | 4 Q. Did he have a mustache or a beard? |
| 5 MR. O'CONNOR: Yes. | 5 A. He had a light mustache. |
| 6 THE WITNESS: He took off -- I think he | 6 Q. Do you know if the interrogator worked for |
| 7 took part of -- the clothes he was wearing was a | 7 CACI? |
| 8 black shirt, short sleeves civilian. And I asked him | 8 MR. NELSON: We lost sound. Can you |
| 9 a couple of times -- and I asked him a couple of | 9 translate that question again? |
| 10 times whether the shirt was military or civilian and | 10 (Translator repeated the question.) |
| 11 he said civilian. 100 percent he was civilian. | 11 THE WITNESS: I don't know, but I know -- |
| 12 Civilian. | 12 but he is civilian. |
| 13 BY MR. O'CONNOR: | 13 BY MR. O'CONNOR: |
| 14 Q. What did he look like? | 14 Q. You said he had a little bit of hair. Do |
| 15 A. He was wearing a black shirt. Black tee | 15 you remember what color it was? |
| 16 shirt. Black shirt, half sleeves. | 16 THE TRANSLATOR: His hair, mustache? |
| 17 Q. What did he look like? | 17 MR. O'CONNOR: Hair. |
| 18 A. A little bit bald. No hair. No hair. No | 18 THE WITNESS: Blond. |
| 19 hair. No hair. A little hair like this. | 19 BY MR. O'CONNOR: |
| 20 (Indicating.) A little hair. A little hair. Yes. | 20 Q. Did any other mistreatment occur during |
| 21 Q. What color skin did he have? | 21 this interrogation that you haven't already told us |
| 22 A. I was standing, sitting, and kneeling and | 22 about? |

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| <p>1 A. After about ten minutes, he was 2 threatening me with the dog to bite me. I was 3 sitting down like this, like this, you know with both 4 my knees together and looking towards his eyes. 5 (Indicating.) I was handcuffed in the back in a 6 force. And I was, you know, the dog behind me could 7 bite me any time. Yes. And this interrogation 8 lasted for four hours or more.</p> <p>9 Q. Is it correct that the dog was always on 10 the other side of the window from you?</p> <p>11 A. Yes.</p> <p>12 Q. Have you told me about all of the 13 mistreatment you believe you suffered during this 14 third interrogation?</p> <p>15 A. No, that's it.</p> <p>16 MR. LOBUE: Can we take a break at this 17 point?</p> <p>18 MR. O'CONNOR: Yes. We are going to take 19 a -- you want a ten-minute break?</p> <p>20 MR. LOBUE: Ten minutes.</p> <p>21 MR. O'CONNOR: We're going to take a 22 ten-minute break.</p> | <p>1 they tied my hands behind my back. Then after that, 2 they took off my clothes, they wet my clothes before 3 I went in the cell and they left me to put them back 4 on wet.</p> <p>5 And for me, destruction of my house is the 6 better off than the way they mistreated me by shaving 7 my hair and my mustache. This is worse.</p> <p>8 Q. Who did these things to you? Was it U.S. 9 soldiers?</p> <p>10 A. A group of female and male soldiers and 11 civilians under the orders of the interrogator.</p> <p>12 Q. How do you know that this was under the 13 order of the interrogator?</p> <p>14 A. He was sitting down and they were moving 15 around.</p> <p>16 Q. Did the interrogator follow you back to 17 the area with the cells?</p> <p>18 A. Under the order of this guy, then they 19 shaved my hair. The guy was giving an order, so they 20 shaved my hair and my mustache. And then they put me 21 in the shower with the soap and the soldier was 22 holding weapons on me.</p> |
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| <p>1 (Whereupon, the deposition was recessed 2 from 10:43 a.m. to 10:56 a.m.)</p> <p>3 BY MR. O'CONNOR:</p> <p>4 Q. Let's go back on the record. So, Mr. Al 5 Shimari, we've been talking about your third 6 interrogation with the man with the black shirt as 7 the interrogator. Have you told us about all of the 8 mistreatment that you contend you suffered during 9 that interrogation?</p> <p>10 A. It's been so long since 2003, it's been so 11 long, you know, I don't remember.</p> <p>12 Q. I understand that this was a long time 13 ago. I'm just trying to make sure that you've told 14 me what you can remember.</p> <p>15 A. If other things if I do remember, I'll let 16 you know.</p> <p>17 Q. Thank you. What happened after the third 18 interrogation?</p> <p>19 A. They send me after the third interrogation 20 they send me to a place like a cell. Then before -- 21 after the third interrogation, before I get into this 22 cell, they shave my hair, they shave my mustache, and</p> | <p>1 Q. Was the interrogator present when -- was 2 the interrogator present when --</p> <p>3 THE TRANSLATOR: He is saying about 4 shaving and everything. He is mixing -- hold on.</p> <p>5 THE WITNESS: Directly after I left the 6 interrogator in Takila --</p> <p>7 MR. AKEEL: In the Hard Site.</p> <p>8 THE WITNESS: It was really adjacent, the 9 Hard Site was adjacent to this area. The minute I 10 arrived, they shaved my mustache and my hair. They 11 opened the water shower. They get me naked, took off 12 my clothes. Then a lot of soap, soap bar, and they 13 let me stay under the water until the soap is 14 dissolved -- until the soap is finished. Because it 15 was so cold, since I didn't have any hair or my 16 mustache or my hair, it felt like nails sticking out. 17 It was so cold, I feel the hair is like nails. Like 18 nails. It was very cold, very cold, very cold.</p> <p>19 BY MR. O'CONNOR:</p> <p>20 Q. Was --</p> <p>21 A. After that, they -- then after that they 22 gave me a wet suit. Then they soaked it in the water</p> |

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| <p>1 until it is fully wet and he told me to wear it, put 2 it on. Since shaving my hair and my mustache, it is 3 worse for me, personally, very bad, compared to 4 whatever had happened in my house. It's really one 5 of the worst -- it's very bad. It was a 6 mistreatment.</p> <p>7 MR. ALOMARI: This is Mr. Alomari. He is 8 saying "humiliating."</p> <p>9 THE WITNESS: It was very humiliating.</p> <p>10 BY MR. O'CONNOR:</p> <p>11 Q. Was the interrogator present when the 12 soldiers shaved your mustache and hair?</p> <p>13 A. There was one civilian present. He was 14 giving orders.</p> <p>15 Q. Who was the civilian?</p> <p>16 A. I really couldn't tell. After they shaved 17 my hair and my mustache and tied my hands behind my 18 back, I couldn't really tell who the civilian is. 19 And then they get me and four other people in the 20 room, a small room, me and four people, put us 21 together in a small room. We were naked. No 22 clothes. No clothes.</p> | <p>1 A. And she kept her rifle pointing at me in 2 the shower, until the soap bar is dissolved.</p> <p>3 Q. Was there anyone else present for the 4 shower, other than you and the female soldier?</p> <p>5 A. There were close by. Two, three people, 6 they were close by.</p> <p>7 Q. Who were the two or three people who were 8 close by?</p> <p>9 A. I don't know. I don't know those people.</p> <p>10 Q. Were they soldiers?</p> <p>11 A. The majority are female soldiers.</p> <p>12 Q. Do you know if there were any civilians 13 present when you were taking the shower?</p> <p>14 A. Yes, there was one person. One person.</p> <p>15 Q. Is it the same person who was present when 16 they shaved your mustache and hair?</p> <p>17 A. He was sitting down and he was giving 18 orders to them.</p> <p>19 Q. Was it the same person who was present 20 when they shaved your mustache and hair?</p> <p>21 A. He was close. Close.</p> <p>22 Q. But my question is you said that there was</p> |
| <p style="text-align: center;">Page 71</p> <p>1 After six or seven hours, they took us in 2 and put us in individual rooms, put us each in 3 individual rooms. And I couldn't tell it was day or 4 nighttime in the room. All I knew when I heard the 5 prayer in the dawn, when I heard the prayer -- when 6 they say "salat al-fajr," it means the prayer of the 7 morning -- then I knew it was a new day.</p> <p>8 Q. Mr. Al Shimari, can we -- let's take this 9 one step at a time. When you left the third 10 interrogation and you had your mustache and hair 11 shaved, is it your testimony that there was one 12 civilian present, but you don't know who it was?</p> <p>13 A. Correct. Correct.</p> <p>14 Q. Do you know if that civilian was an 15 interrogator?</p> <p>16 A. I can't tell you. But in addition to him 17 there was other soldiers, female and male.</p> <p>18 Q. And then you talked about when you were 19 put into the shower. Who was present for that?</p> <p>20 A. It was a female soldier with her rifle 21 pointing at me.</p> <p>22 Q. Was there anyone --</p> | <p style="text-align: center;">Page 73</p> <p>1 one civilian present when you were taking the shower. 2 And my question is whether that was the same civilian 3 who was present when your mustache and hair were 4 shaved.</p> <p>5 A. Yes.</p> <p>6 Q. Now, you testified that your clothes -- 7 that clothes were soaked in water and you were forced 8 to put those clothes on; is that correct?</p> <p>9 A. Correct.</p> <p>10 Q. Who told you to put on the wet clothes?</p> <p>11 A. He gave orders to one of the female 12 soldiers and she came in and brought a bucket with 13 the clothing in it and told me to put it on.</p> <p>14 Q. When you say "he" gave an order, who is 15 "he"?</p> <p>16 A. One -- the one sitting down. The guy who 17 was giving orders. The civilian.</p> <p>18 Q. The same person who was present when you 19 were showering and present when the soldiers shaved 20 your mustache and hair?</p> <p>21 A. He was the same person. But the woman, 22 she was holding her weapon when I was taking a</p> |

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| <p>1 shower. She was taking orders from him.</p> <p>2 Q. And do I understand correctly that you</p> <p>3 don't remember what this civilian looks like?</p> <p>4 A. He was really tall. A little taller than</p> <p>5 the other guy. But I don't recall. He is a tall</p> <p>6 guy. He's the same height or taller than.</p> <p>7 Q. The same height as who?</p> <p>8 A. He's taller than the interrogator, the</p> <p>9 first interrogator, the interrogation before. He was</p> <p>10 taller than the interrogator in Takila.</p> <p>11 Q. How many times in total were you</p> <p>12 interrogated in Abu Ghraib prison?</p> <p>13 A. I don't remember -- I don't remember the</p> <p>14 number exactly. Yes, I don't remember. The</p> <p>15 punishment -- the treatment was very bad, awful. In</p> <p>16 fact the minute they put me in this room, I couldn't</p> <p>17 see anything. I couldn't see nothing. The minute</p> <p>18 they -- the minute I hear the prayer in the morning,</p> <p>19 the dawn prayer, then I would realize it was a new</p> <p>20 day. Then I would take something and mark the wall,</p> <p>21 it's a new day. The minute they were giving me food,</p> <p>22 some water -- it was in a very large room. The place</p> | <p>1 BY MR. O'CONNOR:</p> <p>2 Q. Now, the third interrogation you</p> <p>3 described, the interrogator had a black shirt on;</p> <p>4 right?</p> <p>5 A. Yes.</p> <p>6 Q. You said that there were other --</p> <p>7 A. It has been so long -- a long period of</p> <p>8 time, I don't recall everything. I don't remember.</p> <p>9 Q. My question is did the interrogator with</p> <p>10 the black tee shirt ever interrogate you again after</p> <p>11 the third interrogation?</p> <p>12 THE TRANSLATOR: You want me to ask him</p> <p>13 how many times he interrogated him?</p> <p>14 BY MR. O'CONNOR:</p> <p>15 Q. How many times -- did the man with the</p> <p>16 black shirt interrogate you more than once?</p> <p>17 A. In every interrogation, there was always</p> <p>18 one interrogator. Different one. So when he leaves,</p> <p>19 I'll see somebody else in another interrogation.</p> <p>20 Q. Okay. So do I understand it that you</p> <p>21 never had the same interrogator more than once?</p> <p>22 A. Yes.</p> |
| <p>1 where I was.</p> <p>2 Q. Is this a cell?</p> <p>3 A. Yes, it's a cell.</p> <p>4 MR. ALOMARI: This is Mr. Alomari. He is</p> <p>5 using the term saying that it looks like a "fake," a</p> <p>6 "fake door."</p> <p>7 BY MR. O'CONNOR:</p> <p>8 Q. The first -- just to summarize the</p> <p>9 interrogation we talked about so far. The first</p> <p>10 interrogation you had at Abu Ghraib prison, you don't</p> <p>11 know who was the interrogator because you had a hood</p> <p>12 on the whole time; is that right?</p> <p>13 A. Yes.</p> <p>14 Q. And the second interrogation, the</p> <p>15 interrogator was a man with a ponytail; right?</p> <p>16 A. Yes.</p> <p>17 Q. And the interrogator with the ponytail</p> <p>18 only interrogated you that one time; right?</p> <p>19 THE TRANSLATOR: That one with the</p> <p>20 ponytail?</p> <p>21 MR. O'CONNOR: Yes.</p> <p>22 THE WITNESS: Correct. Correct.</p> | <p>1 Q. What other interrogator can you remember</p> <p>2 having?</p> <p>3 THE TRANSLATOR: Other than those?</p> <p>4 BY MR. O'CONNOR:</p> <p>5 Q. Other than the ones you have described so</p> <p>6 far.</p> <p>7 A. Every interrogation, every time I leave an</p> <p>8 interrogator, I become so much desperate and the</p> <p>9 mistreatment is so bad. One would hit me on my head,</p> <p>10 my face, on my cheeks. The other one shaved my</p> <p>11 mustache and my hair and put me inside the "douche."</p> <p>12 And one put me another one in a cell where I couldn't</p> <p>13 see, couldn't tell the difference between day and</p> <p>14 night. I couldn't see the day and night.</p> <p>15 Q. Do you remember --</p> <p>16 A. And one, he brought the dog to bite me.</p> <p>17 Q. Who brought the dog to bite you?</p> <p>18 A. When I was in the cell, somebody would</p> <p>19 bring the dog. It's like let him attack me and then</p> <p>20 pulled the dog back -- almost let him try to attack</p> <p>21 me, but then he pulled the dog back.</p> <p>22 And one of the interrogators, he ordered</p> |

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| <p>1 one of the soldiers to put the bag on my head.</p> <p>2 MR. ALOMARI: This is Mr. Alomari. Not</p> <p>3 "the bag." He said "the blanket." Blanket.</p> <p>4 THE WITNESS: Then he put the blanket on</p> <p>5 my head. And the dog was biting the cover, you know</p> <p>6 what I'm saying -- whatever it is -- the blanket.</p> <p>7 BY MR. O'CONNOR:</p> <p>8 Q. Who was the interrogator that had the dog</p> <p>9 do that?</p> <p>10 A. I don't know. I don't know. I don't</p> <p>11 remember. I don't recall.</p> <p>12 Q. Were some of your interrogators soldiers?</p> <p>13 A. The majority of the interrogators were</p> <p>14 civilian. The majority of the interrogators were</p> <p>15 civilian. The only things I can tell you, the guard</p> <p>16 used to put the bag on my head and he used to pull me</p> <p>17 into the interrogator. Once I get to the</p> <p>18 interrogator, he used to pull the bag out. And I</p> <p>19 think they were civilian, because --</p> <p>20 Q. Do you remember them being civilians or</p> <p>21 are you not sure?</p> <p>22 A. I'm sure they were civilian.</p> | <p>1 THE TRANSLATOR: So you want to have any</p> <p>2 discussions other than lawyers during the break;</p> <p>3 right?</p> <p>4 MR. LOBUE: That's my instruction.</p> <p>5 THE TRANSLATOR: How do you want to ask</p> <p>6 that question all over again? The guy is confused</p> <p>7 now.</p> <p>8 MR. O'CONNOR: I'm sticking with my</p> <p>9 question.</p> <p>10 THE TRANSLATOR: Let's go over again.</p> <p>11 BY MR. O'CONNOR:</p> <p>12 Q. My question is on the last break, did</p> <p>13 anyone talk to you about your testimony?</p> <p>14 A. No, no, no.</p> <p>15 Q. Did anyone tell you to start blaming</p> <p>16 civilians for your treatment?</p> <p>17 MR. LOBUE: Objection. Objection. I'm</p> <p>18 going to instruct the witness not to discuss -- not</p> <p>19 to disclose any discussions he may have had with</p> <p>20 attorneys. If he was told to give that testimony</p> <p>21 outside of any discussions -- let me rephrase that.</p> <p>22 If he had any discussions during the break</p> |
| <p>1 Q. On the last break, did anybody talk to you</p> <p>2 about your testimony?</p> <p>3 A. Their clothing was civilian.</p> <p>4 Q. On the last break, did anyone talk to you</p> <p>5 about your deposition testimony.</p> <p>6 MR. LOBUE: Go ahead, then tell him to</p> <p>7 wait for my objection.</p> <p>8 THE TRANSLATOR: I'm sorry; I lost. Go</p> <p>9 ahead. I'm sorry.</p> <p>10 BY MR. O'CONNOR:</p> <p>11 Q. On the last break, did anyone talk to you</p> <p>12 about your deposition testimony?</p> <p>13 MR. LOBUE: Please translate and ask him</p> <p>14 to wait for my instruction.</p> <p>15 THE TRANSLATOR: Not to answer?</p> <p>16 MR. LOBUE: Not to answer.</p> <p>17 (Translator repeated the question.)</p> <p>18 MR. LOBUE: Please tell the witness I</p> <p>19 instruct him not to reveal any discussions with</p> <p>20 attorneys. If he had discussions during the last</p> <p>21 break with any person other than his attorneys, he</p> <p>22 may answer.</p> | <p>1 other than with his attorneys, he may answer. That's</p> <p>2 my instruction.</p> <p>3 THE TRANSLATOR: Same instruction as</p> <p>4 before?</p> <p>5 MR. LOBUE: Same instruction as before.</p> <p>6 THE TRANSLATOR: Let me go back now again</p> <p>7 and do it all over again.</p> <p>8 MR. LOBUE: Please, may I suggest you</p> <p>9 translate the question and then translate my</p> <p>10 instruction.</p> <p>11 THE TRANSLATOR: Without any interruption?</p> <p>12 MR. LOBUE: Without interruption.</p> <p>13 BY MR. O'CONNOR:</p> <p>14 Q. Look, my question is did anyone on the</p> <p>15 last break tell you that you should start blaming</p> <p>16 civilians with your testimony?</p> <p>17 A. I never had any discussions with my</p> <p>18 lawyer.</p> <p>19 MR. LOBUE: I will -- well, okay.</p> <p>20 BY MR. O'CONNOR:</p> <p>21 Q. Do I understand that you had no</p> <p>22 discussions with your lawyers on the last break?</p> |

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| <p>1 THE TRANSLATOR: In the cell?</p> <p>2 MR. O'CONNOR: Yes. I will make it</p> <p>3 shorter.</p> <p>4 BY MR. O'CONNOR:</p> <p>5 Q. The dark cell, the loud music, and</p> <p>6 throwing water on you all occurred in your cell;</p> <p>7 correct?</p> <p>8 A. Correct. Correct.</p> <p>9 Q. Were you ever interrogated inside your</p> <p>10 cell?</p> <p>11 A. One time.</p> <p>12 Q. Tell me about the one time you were</p> <p>13 interrogated inside your cell.</p> <p>14 A. The guard came over and put a bag on my</p> <p>15 head and tied my hands behind my back and dragged</p> <p>16 me -- took me to the interrogator. And they started</p> <p>17 asking me: If you didn't tell those weapons belong</p> <p>18 to me, the one in the car, I'm going to keep you in</p> <p>19 this room and I'll bring your wife too."</p> <p>20 Q. But that happened outside of your cell in</p> <p>21 a different room; right?</p> <p>22 A. He dragged me out of the cell, out, and</p> | <p>1 issue. And bringing a dog and make the dog try to</p> <p>2 attack me, those things created an opening in my</p> <p>3 belly.</p> <p>4 MR. ALOMARI: This is Mr. Alomari. A</p> <p>5 "hernia."</p> <p>6 THE TRANSLATOR: Hernia. He got a hernia.</p> <p>7 THE WITNESS: I told him I'm sick, I need</p> <p>8 a doctor. I'm really hurt. Hurt. He didn't even</p> <p>9 discuss or say anything. He just gave me a pill and</p> <p>10 a glass of water.</p> <p>11 BY MR. O'CONNOR:</p> <p>12 Q. Was that a guard?</p> <p>13 THE TRANSLATOR: The guard who gave him</p> <p>14 the medication?</p> <p>15 MR. O'CONNOR: Yes.</p> <p>16 THE WITNESS: It was a guard. A doctor</p> <p>17 never came over.</p> <p>18 BY MR. O'CONNOR:</p> <p>19 Q. So you told the guard that you had a pain</p> <p>20 in your stomach and the guard came back and gave you</p> <p>21 a pill; is that right?</p> <p>22 A. Correct.</p> |
| <p>1 Page 91</p> <p>2 then he brought me in back to the cell.</p> <p>3 Q. And it was a guard that dragged you out</p> <p>4 and brought you back on the cell; right?</p> <p>5 A. The guard took me to the interrogator.</p> <p>6 Q. My question was did an interrogator ever</p> <p>7 ask you questions while you were in your cell?</p> <p>8 THE TRANSLATOR: Inside the cell?</p> <p>9 MR. O'CONNOR: He is inside the cell. I</p> <p>10 want to know if he was asked questions while Mr. Al</p> <p>11 Shimari was inside the cell.</p> <p>12 THE WITNESS: One time. One time.</p> <p>13 BY MR. O'CONNOR:</p> <p>14 Q. Tell me about the one time that you were</p> <p>15 asked questions by an interrogator when you were</p> <p>16 inside your cell.</p> <p>17 A. The interrogator never came over to the</p> <p>18 room. I was always been taken to him. Where they</p> <p>19 put a cover on my head, the bag, and tied my hands</p> <p>20 behind my back and they took me to the interrogator.</p> <p>21 Q. Can you tell me any other mistreatment --</p> <p>22 A. Because from the issue that they were kept</p> <p> me in the dark and throwing water at me, and all this</p> | <p>1 Page 93</p> <p>2 Q. Do you know if anyone told the guard not</p> <p>3 to have a doctor come see you?</p> <p>4 A. He used to come once a day to give me food</p> <p>5 rations. This is the food rations, a bag. You know</p> <p>6 what I'm talking about. A guy gave me the ration of</p> <p>7 food, and I kept telling him I hurt in my belly in my</p> <p>8 stomach, and I need to see a doctor. He doesn't</p> <p>9 answer me, because there was no dialogue or</p> <p>10 discussion between me and the guard. He came back</p> <p>11 with a pill and a glass of water -- a water cup, cup</p> <p> of water.</p> <p>12 Q. Do you know if the guard told anyone else</p> <p>13 that you had complained of a pain in your belly?</p> <p>14 MR. ALOMARI: Sorry; we just lost the</p> <p>15 sound. Can you translate the question again. Thank</p> <p>16 you.</p> <p>17 (Translator repeated the question.)</p> <p>18 THE WITNESS: I don't have any</p> <p>19 information.</p> <p>20 BY MR. O'CONNOR:</p> <p>21 Q. Can you tell me any other acts of</p> <p>22 mistreatment that you suffered while you were at the</p> |

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| <p>1 Hard Site at Abu Ghraib prison?</p> <p>2 A. The area of Takila was close to a lot of</p> <p>3 cells. Close, dirty, limited area, very limited</p> <p>4 area. You know, the cover, the bed cover was sitting</p> <p>5 on a humid place. And you know, the weather is so</p> <p>6 cold, and the pillow was full of soil and rock --</p> <p>7 THE TRANSLATOR: Correction, the pillow</p> <p>8 was full of soil.</p> <p>9 MR. ALOMARI: This is Mr. Alomari. He is</p> <p>10 saying the pillow was a "sandbag." "Kuneh alrraml,</p> <p>11 bag.</p> <p>12 BY MR. O'CONNOR:</p> <p>13 Q. Do you know who decided that you would</p> <p>14 have a sandbag for a pillow?</p> <p>15 A. I don't have any information.</p> <p>16 Q. Can you think of any other mistreatment</p> <p>17 you suffered while you were at Abu Ghraib prison?</p> <p>18 THE TRANSLATOR: The whole time?</p> <p>19 MR. O'CONNOR: Yes.</p> <p>20 THE WITNESS: Since the beginning up to</p> <p>21 now, I have not meet or saw my family or any of the</p> <p>22 members of my family.</p> | <p>1 because of the -- they were tightening my hands with</p> <p>2 such force, I'm not able to carry bags in my hand.</p> <p>3 Things fall out of my hand when I carry bags, any</p> <p>4 kind of loads.</p> <p>5 My teeth are falling out. And up to now</p> <p>6 whenever I'm trying to carry a load or weight in my</p> <p>7 hand, it fell out of my hand up to now. Without the</p> <p>8 glasses I cannot see. I see -- because of the</p> <p>9 hitting on my head, I can see like arc. Because of</p> <p>10 the hitting on my head, whenever I see a light I see</p> <p>11 like arcs.</p> <p>12 MR. LOBUE: See what?</p> <p>13 THE TRANSLATOR: Arc. You know, like --</p> <p>14 THE WITNESS: They moved me out of Bucca</p> <p>15 and in one year my teeth start falling out. You can</p> <p>16 see.</p> <p>17 BY MR. O'CONNOR:</p> <p>18 Q. Is that from something that happened --</p> <p>19 A. And the operation the hernia -- I did the</p> <p>20 hernia operation in Bucca.</p> <p>21 Q. Did the problem with your teeth happen</p> <p>22 because of something that occurred at Camp Bucca or</p> |
| <p>1 Q. So while you were in Abu Ghraib prison,</p> <p>2 you were prevented from seeing your family?</p> <p>3 A. Up to now -- up to now, I was not able to.</p> <p>4 They would not let me see my family up to this point.</p> <p>5 Q. Were you ever able to have your family</p> <p>6 come visit you at Abu Ghraib prison?</p> <p>7 A. Until I left the cell.</p> <p>8 Q. When you were moved out of the cell to the</p> <p>9 tent part of Abu Ghraib, were you allowed to have</p> <p>10 your family visit you?</p> <p>11 A. Yes. And my family just informed me that</p> <p>12 the U.S. military had bombed my house and they became</p> <p>13 homeless and nobody left in the house.</p> <p>14 Q. Can you tell any other mistreatment you</p> <p>15 contend that you suffered at Abu Ghraib prison?</p> <p>16 THE TRANSLATOR: Other? In addition?</p> <p>17 MR. O'CONNOR: In addition to what he has</p> <p>18 already told me.</p> <p>19 THE WITNESS: Because of the hits and all</p> <p>20 the abuse, I had a headache. And because of the</p> <p>21 darkness I was kept in the room, I can't see very</p> <p>22 well, my eyes, without the help of the glasses. And</p> | <p>1 something that occurred at Abu Ghraib?</p> <p>2 A. Because of Abu Ghraib. Because of</p> <p>3 Abu Ghraib.</p> <p>4 Q. What things at Abu Ghraib caused your</p> <p>5 teeth to fall out?</p> <p>6 A. Because the reason my teeth start falling</p> <p>7 out, because in Abu Ghraib I was hit on my face here</p> <p>8 and here, and that's the caused -- and hitting on my</p> <p>9 head, that caused my teeth to start falling.</p> <p>10 Q. Were you hit on your face by guards?</p> <p>11 A. Guards. The one who transported me to</p> <p>12 interrogator. The one who took me to the</p> <p>13 interrogator. He was hitting me and the plastic bag</p> <p>14 was on my head, so I couldn't see him.</p> <p>15 Q. So this was either before or after an</p> <p>16 interrogation, because you had the hood on; is that</p> <p>17 right?</p> <p>18 A. Before the interrogation and after the</p> <p>19 interrogation, the bag was on my head. And during</p> <p>20 those times, they keep hitting and me and abusing me.</p> <p>21 Q. And when you say "they keep hitting me and</p> <p>22 abusing me," are you talking about guards?</p> |

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| <p>1 changing.</p> <p>2 Q. While you were at Abu Ghraib prison, were 3 you ever stabbed with a knife or sharp object?</p> <p>4 A. Only with a baton stick and the rifle, I 5 was hit.</p> <p>6 Q. Okay. Let's start with the baton stick. 7 How did you get hit with a baton?</p> <p>8 A. Talking now about the electric things now. 9 There was an instrument -- there was an electric like 10 a lie detector set and said you are lying, something 11 around my arm. Electric equipment. And they said I 12 was lying.</p> <p>13 Q. And did it shock you?</p> <p>14 MR. ALOMARI: This is Mr. Alomari. He is 15 saying "there is electric current in the supposed lie 16 detector."</p> <p>17 BY MR. O'CONNOR:</p> <p>18 Q. Were you shocked by the electricity?</p> <p>19 MR. ALOMARI: This is Mr. Alomari -- 20 electric shock --</p> <p>21 THE REPORTER: I'm sorry; I didn't get 22 that.</p> | <p>1 They were dragging, pulling me from my neck.</p> <p>2 Q. Was this in the course of taking you to or 3 from an interrogation?</p> <p>4 A. It's like dragging a dog.</p> <p>5 Q. But was it -- did this happen when you 6 were being pulled to or from an interrogation?</p> <p>7 A. Yes.</p> <p>8 Q. Did you have a rope around your neck?</p> <p>9 A. The bag itself -- the bag, the bag.</p> <p>10 Q. Did the bag have a rope on it?</p> <p>11 A. Okay. The bag was tied with a string and 12 they were pulling the string.</p> <p>13 Q. So was this guards pulling the string to 14 drag you around?</p> <p>15 MR. O'CONNOR: Go ahead and --</p> <p>16 THE WITNESS: Even me, you know, even when 17 I tried one time I was praying and he humiliated me 18 actually by pulling me before I finished my prayer.</p> <p>19 He pulled me out of my prayer.</p> <p>20 BY MR. O'CONNOR:</p> <p>21 Q. Who did that?</p> <p>22 A. He put the things on top of my head and</p> |
| <p style="text-align: center;">Page 103</p> <p>1 THE WITNESS: There was electric shock. 2 Electric shock.</p> <p>3 BY MR. O'CONNOR:</p> <p>4 Q. How many times were you shocked with 5 electricity while were at Abu Ghraib prison?</p> <p>6 A. One time.</p> <p>7 Q. Who did it?</p> <p>8 A. I had a cover on my head and they put the 9 things on my hand and they gave me the shock.</p> <p>10 Q. Was this during an interrogation?</p> <p>11 A. This is during the interrogation. "This 12 thing is gonna tell if you are lying or not," and 13 suddenly it shocked me.</p> <p>14 Q. And because you had a bag on your head, 15 you don't know who was present for that?</p> <p>16 A. Yes.</p> <p>17 Q. Were you ever choked while you were at 18 Abu Ghraib prison?</p> <p>19 A. More than one time, I tried to be choked 20 during interrogation. More than once. There were --</p> <p>21 Q. Choked or shocked?</p> <p>22 A. Choked. You were talking about choked.</p> | <p style="text-align: center;">Page 105</p> <p>1 pulled me. I don't know.</p> <p>2 Q. Do you know if it was a guard?</p> <p>3 A. Of course. Of course. Sure.</p> <p>4 Q. When you were at Abu Ghraib prison, did 5 you ever have your private parts touched, either in 6 the front or in the back?</p> <p>7 A. Yes.</p> <p>8 Q. Tell me about that.</p> <p>9 A. Since I left Abu Ghraib up to now, I was 10 not able to have any children because they hit me 11 there.</p> <p>12 Q. Who?</p> <p>13 A. And the more hits on me, and they were 14 saying "feeki feeki," like you are a faggot, faggot.</p> <p>15 MR. ALOMARI: This is Mr. Alomari. "Feeki 16 feeki," is "fuck you, fuck you."</p> <p>17 THE WITNESS: He don't have any kind of -- 18 "naich," the word "naich" is "fuck you."</p> <p>19 BY MR. O'CONNOR:</p> <p>20 Q. Is that what he said they were saying?</p> <p>21 THE TRANSLATOR: It is a bad word for us. 22 It's a bad expression, according to him.</p> |

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| <p>1 THE WITNESS: Yes, yes.</p> <p>2 BY MR. LOBUE:</p> <p>3 Q. Please explain.</p> <p>4 A. There is a scar, there is numbness. I 5 cannot walk for a long period of time up to now. 6 There is a numbness and scars on them, and pain.</p> <p>7 MR. ALOMARI: This is Mr. Alomari. 8 (Speaking Arabic.) It means, "It wore down the 9 knee."</p> <p>10 MR. LOBUE: Okay.</p> <p>11 THE TRANSLATOR: I don't know it.</p> <p>12 MR. LOBUE: You don't know? I will 13 withdraw the question; I will ask a different 14 question.</p> <p>15 BY MR. LOBUE:</p> <p>16 Q. At the time you were forced to kneel on 17 the sharp rocks, did you have clothing on?</p> <p>18 A. I was naked. No clothes on.</p> <p>19 Q. And when you were forced to kneel on the 20 sharp rocks, did it break the skin? Did it make you 21 bleed?</p> <p>22 A. There was a scars on the skin. Scars.</p> | <p>1 Q. You told us that in one or more 2 interrogations you were forced to hold your nose 3 against the wall. And I'd like to ask you for how 4 long were you forced to hold your nose against the 5 wall.</p> <p>6 MR. O'CONNOR: Objection, mischaracterizes 7 his testimony.</p> <p>8 MR. LOBUE: Are you okay if he doesn't 9 translate your objections?</p> <p>10 MR. O'CONNOR: I'm assuming he shouldn't. 11 I'm not instructing the witness.</p> <p>12 THE TRANSLATOR: Okay, so from now on I 13 will not translate. How long?</p> <p>14 MR. LOBUE: For how long? 15 (Translator repeated the question.)</p> <p>16 THE WITNESS: One time from the afternoon 17 all the way to the dawn. They take me back, 18 interrogate me, and then send me back to the wall.</p> <p>19 BY MR. LOBUE:</p> <p>20 Q. You told us about an interrogator who had 21 a ponytail. Did that interrogator wear a military 22 uniform or civilian clothes?</p> |
| <p style="text-align: center;">Page 119</p> <p>1 Q. Okay. You told us that in one 2 interrogation someone was stepping with his foot. 3 Was he stepping on you?</p> <p>4 MR. O'CONNOR: Objection, leading.</p> <p>5 MR. LOBUE: I will rephrase the question 6 before you translate.</p> <p>7 BY MR. LOBUE:</p> <p>8 Q. You testified earlier that in one 9 interrogation someone was stepping with his feet. 10 Who or what was he stepping on?</p> <p>11 MR. O'CONNOR: Objection, mischaracterizes 12 his testimony. You don't need to translate my 13 objections.</p> <p>14 THE WITNESS: On my head, on my belly -- 15 on my head, on my back, on my legs.</p> <p>16 BY MR. LOBUE:</p> <p>17 Q. Did that cause you any pain or injury at 18 the time?</p> <p>19 A. It was a pain, a hard pain on my head and 20 my neck and on my back too. On my back and on my 21 legs. For a while I couldn't walk and I couldn't 22 move for a while.</p> | <p style="text-align: center;">Page 121</p> <p>1 A. Civilian, civilian.</p> <p>2 Q. Okay. Turning to a different subject, 3 altogether, how much time did you stay at the Hard 4 Site at Abu Ghraib?</p> <p>5 A. From Abu Ghraib, I stayed one year.</p> <p>6 Q. And how long did you stay --</p> <p>7 A. One month in "Mahacha," and 20 days -- and 8 around 20 days in Takila, 20 days. I don't remember. 9 I don't recall how long I stayed in each part or in 10 Takila, but I remember overall I stayed one year in 11 Abu Ghraib.</p> <p>12 Q. And about how much --</p> <p>13 MR. ALOMARI: This is Mr. Alomari. Just a 14 comment on the translation. He didn't translate the 15 "Mahacha," which is referring to the cells. And he 16 didn't translate "kasa." "Kasa" is the cell that 17 looks like a safe.</p> <p>18 THE TRANSLATOR: I said -- I really don't 19 know what --</p> <p>20 MR. LOBUE: I understand. I was going to 21 ask for a clarification. Thank you, Mr. Alomari.</p> <p>22 BY MR. LOBUE:</p> |

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| <p>1 Q. Mr. Al Shimari, about how many days were 2 you forced to stay without clothing while you were at 3 Abu Ghraib, either for a whole day or part of the 4 day?</p> <p>5 A. In "kasa," around 30 days.</p> <p>6 THE TRANSLATOR: Whatever is "kasa." I 7 don't know the area. About 30 days.</p> <p>8 BY MR. LOBUE:</p> <p>9 Q. Let me please ask a clarifying question. 10 Is it your testimony that you spent part or all of 11 30 days without clothing while you were at 12 Abu Ghraib?</p> <p>13 MR. O'CONNOR: Objection, leading.</p> <p>14 THE TRANSLATOR: In "kasa," he said -- 15 inside "kasa," around 30 days.</p> <p>16 BY MR. LOBUE:</p> <p>17 Q. And what do you mean by "kasa"?</p> <p>18 A. It's like I mean by "kasa," a small room 19 by 1 meter by 1-1/2 meter. It has a little opening 20 for food. It has like metal chicken wires and behind 21 it is a door metal. It's one meter by 1-1/2 meter.</p> <p>22 Q. Thank you. Mr. Al Shimari, you testified</p> | <p>1 Q. Buttocks?</p> <p>2 A. Buttocks; right.</p> <p>3 Q. Did the person enter your body? Let me do 4 it this way. Excuse me one second.</p> <p>5 Sir, could you please look at what's been 6 marked previously today as Exhibit 2, your 7 Interrogatory answers. And Mr. Al Shimari, you told 8 us that you signed this document?</p> <p>9 A. Yes.</p> <p>10 Q. And someone read the contents to you 11 before you signed it; correct?</p> <p>12 A. Yes, correct.</p> <p>13 Q. I'm going to ask our interpreter to please 14 translate a statement that you made here. First I 15 will read it in English for the record.</p> <p>16 MR. O'CONNOR: I object to this. I guess 17 I'll say it now.</p> <p>18 MR. LOBUE: Sure.</p> <p>19 BY MR. LOBUE:</p> <p>20 Q. My reading is as follows --</p> <p>21 THE TRANSLATOR: Do you have a copy? 22 Which one?</p> |
| <p style="text-align: center;">Page 123</p> <p>1 that someone at Abu Ghraib hit your private parts and 2 touched you on the back. I'd like to ask you some 3 more questions about that.</p> <p>4 MR. O'CONNOR: Objection to form.</p> <p>5 BY MR. LOBUE:</p> <p>6 Q. Was it an American who touched you on your 7 back?</p> <p>8 A. I mean, I had the bag on my head. It was 9 like almost strangled. And, I don't know, but I 10 think it's -- either one of the interrogators or one 11 of the guards.</p> <p>12 Q. Okay. Did this happen before, during, or 13 after one of the interrogations?</p> <p>14 A. Okay. Most of the time these things 15 happened always after the interrogation.</p> <p>16 Q. When someone touched you on your back, 17 where exactly did they touch you?</p> <p>18 A. In my back. And he hit me -- the same 19 person touched me from my back, my ass, and then he 20 hit me on my private parts.</p> <p>21 Q. You said "my ass," meaning --</p> <p>22 A. My butt.</p> | <p style="text-align: center;">Page 125</p> <p>1 MR. LOBUE: The pages are not numbered.</p> <p>2 THE TRANSLATOR: Do you want to mark it 3 here.</p> <p>4 BY MR. LOBUE:</p> <p>5 Q. The statement in English reads as follows: 6 "Plaintiff Al Shimari was subject to gratuitous and 7 humiliating sexual touching when, on multiple 8 occasions, guards forced him to bend over and 9 inserted their fingers into his rectum." End of 10 reading.</p> <p>11 MR. LOBUE: Would you please translate?</p> <p>12 MR. O'CONNOR: Objection.</p> <p>13 BY MR. LOBUE:</p> <p>14 Q. Did that happen?</p> <p>15 MR. O'CONNOR: Objection.</p> <p>16 THE WITNESS: Yes, yes.</p> <p>17 BY MR. LOBUE:</p> <p>18 Q. Did that happen at Abu Ghraib?</p> <p>19 MR. O'CONNOR: Objection.</p> <p>20 THE WITNESS: Yes.</p> <p>21 BY MR. LOBUE:</p> <p>22 Q. How did that make you feel?</p> |

Suhail Najim Abdullah Al Shimari

Washington, D.C.

February 16, 2017

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1 CERTIFICATE OF DEPONENT

2
3 I hereby certify that I have read and examined the
4 foregoing transcript, and the same is a true and
5 accurate record of the testimony given by me.
6 Any additions or corrections that I feel are
7 necessary, I will attach on a separate sheet of
8 paper to the original transcript.

9

10 _____
11 Signature of Deponent

12

13 I hereby certify that the individual representing
14 himself/herself to be the above-named individual,
15 appeared before me this _____ day of _____,
16 2017, and executed the above certificate in my
17 presence.

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19 NOTARY PUBLIC IN AND FOR

20 _____

21 County Name

22 MY COMMISSION EXPIRES:

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2 I, JOE W. STRICKLAND, RPR, CRR, CRC, the officer
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4 hereby certify that, per the stipulations of Counsel,
5 the witness whose testimony appears in the foregoing
6 deposition was remotely sworn by me, through the
7 Interpreter; that the interpreted testimony of said
8 witness was taken by me in stenotypy and thereafter
9 reduced to print under my direction; that said
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11 said witness; that I am neither counsel for, related
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13 in which this deposition was taken; and, furthermore,
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21 The District of Columbia

22 My Commission Expires: November 30, 2021

35 (Pages 134 to 135)

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